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Dated: October 27, 2004

Signature:


(Marian Christopher)Docket No.: 524412000200
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Lee A. BULLA, Jr. et al.

Application No.: 09/696,801

Filed: October 25, 2000

For: GENE MINING SYSTEM AND METHOD

Art Unit: 1631

Examiner: L. A. Clow

AMENDMENT UNDER 37 C.F.R. § 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to an Office Action herein, mailed 10 August 2004, time for response to which was set to expire 10 November 2004. This is the second response formally submitted to the final rejection. Applicants appreciate the willingness of Examiner Clow to discuss proposed amendments to this case designed to overcome the outstanding bases for rejection, both formal matters under 35 U.S.C. § 112, paragraph 2. In a telephone interview on 26 August 2004, proposed language was tentatively approved by the Examiner, and these proposed amendments were submitted formally on 26 August 2004. However, an Advisory Action followed on 17 September 2004 and entry of the amendments was refused. Examiners Clow and Moran kindly agreed to an in-person interview on 21 October 2004, and it is believed that agreement was reached on suitable amendments to the claims to place them in a condition for allowance. These amendments appear below.

sd-227242